Chapter 16. DISCIPLINE

Section 16.01 General Policy

Supervisors are responsible for maintaining compliance with City standards of employee conduct. The objective of this policy is to establish a standard disciplinary process for employees of the City of Mankato. City employees will be subject to disciplinary action for failure to fulfill their duties and responsibilities at the level required, including observance of work rules and standards of conduct and applicable City policies.

Discipline will be administered in a non-discriminatory manner. An employee who believes that discipline applied was either unjust or disproportionate to the offense committed may pursue a remedy through the complaint procedures established in the City's personnel policies. The supervisor and/or Human Resources will investigate any allegation on which disciplinary action might be based before any disciplinary action is taken.

Section 16.02 No Contract Language Established

This policy is not to be construed as contractual terms and is intended to serve only as a guide for employment discipline.

Section 16.03 Process

The City may elect to use progressive discipline, a system of escalating responses intended to correct the negative behavior rather than to punish the employee. There may be circumstances that warrant deviation from the suggested order or where progressive discipline is not appropriate. Nothing in these personnel policies implies that any City employee has a contractual right or guarantee (also known as a property right) to the job they perform.

Documentation of disciplinary action taken will be placed in the employee's personnel file with a copy provided to the employee.

The following are descriptions of the types of disciplinary actions:

(a) Written Reprimand

A written reprimand is more serious and may occur after verbal coaching and counseling and/or a letter of expectation has been issued if the problem has not been corrected, or the behavior has not consistently improved.

Serious infractions may require skipping coaching and counseling, a letter of expectations or a written reprimand. Written reprimands are issued by the supervisor with prior approval from Human Resources.

A written reprimand will: (1) state what happened; (2) state what should have happened; (3) identify the policy, directive or performance expectation that was not followed; (4) provide history, if any, on the issue; (5) state goals, including timetables, and expectations for the future; and (6) indicate consequences of recurrence.

Employees will be given a copy of the reprimand to sign acknowledging its receipt. Employees' signatures do not mean the employee agrees with the reprimand. Written reprimands will be placed in the employee's personnel file.

(b) Suspension With or Without Pay

The City Manager may suspend an employee without pay for disciplinary reasons. Suspension without pay may be followed with immediate dismissal as deemed appropriate by the City Manager, except in the case of veterans. Qualified veterans, who have completed their initial probationary period, will not be suspended without pay in conjunction with a termination.

The employee will be notified in writing of the reason for the suspension either prior to the suspension or shortly thereafter. A copy of the letter of suspension will be placed in the employee's personnel file.

An employee may be suspended or placed on involuntary leave of absence pending an investigation of an allegation involving that employee. The leave may be with or without pay depending on a number of factors including the nature of the allegations. If the allegation is proven false after the investigation, the relevant written documents will be removed from the employee's personnel file and the employee will receive any compensation and benefits due had the suspension not taken place.

(c) Demotion and/or Transfer

An employee may be demoted or transferred if attempts at resolving an issue have failed and the City Manager determines a demotion or transfer to be the best solution to the problem.

The employee must be qualified for the position to which they are being demoted or transferred.

(d) Salary

An employee's salary increase may be withheld, or the salary may be decreased due to performance deficiencies.

(e) Dismissal

The City Manager may dismiss an employee for substandard work performance, serious misconduct, or behavior not in keeping with City standards.

If the disciplinary action involves the removal of a qualified veteran, who has completed their initial probationary period, the appropriate hearing notice will be provided, and all rights will be afforded the veteran in accordance with Minnesota law.

Chapter 17. EMPLOYEE EDUCATION & TRAINING

The City promotes staff development as an essential, ongoing function needed to maintain and improve cost effective quality service to residents. The purposes for staff development are to ensure that employees develop and maintain the knowledge and skills necessary for effective job performance and to provide employees with an opportunity for job enrichment and mobility.

Section 17.01 Policy

The City will pay for the costs of an employee's participation in training and attendance at professional conferences, provided that attendance is approved in advance under the following criteria and procedures:

Section 17.02 Job-Related Training & Conferences

The subject matter of the training session or conference is directly job-related and relevant to the performance of the employee's work responsibilities. Responsibilities outlined in the job description, annual work program requirements and training goals and objectives that have been developed for the employee will be considered in determining if the request is job-related.

CLE or similar courses taken by an employee in order to maintain licensing or other professional accreditation will not be eligible for payment under this policy unless the subject matter relates directly to the employee's duties, even though the employee may be required to maintain such licensing or accreditation as a condition of employment with the City.

The supervisor and the Department Director are responsible for determining job-relatedness and approving or disapproving training and conference attendance.

Section 17.03 Job-Related Meetings

To ensure adequate department coverage, supervisor approval is required to ensure for attendance at external professional meetings directly related to the performance of the employee's work responsibilities.

The Department Director will make every effort to arrange for work schedules around training course schedules in a manner where there will be no disruption of service. Employees are encouraged to take training courses outside of their work schedule whenever possible.

If an employee has adjusted their work schedule to attend an ongoing class during their normal work hours, they must obtain written approval of the work schedule adjustments from the Department Director. A copy of the document outlining the adjusted work schedule and the Department Director's written approval must be filed in the City's personnel file for the specific employee. Each Department Director is responsible for obtaining approval from the City Manager for such changes.